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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,497	09/22/2003	Takashi Shigemura	1259-0237P	6845
2292 7590 07/20/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER HAUGLAND, SCOTT J	
			ART UNIT 3654	PAPER NUMBER
			NOTIFICATION DATE 07/20/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/665,497

Applicant(s)

SHIGEMURA, TAKASHI

Examiner

Scott Haugland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 5, 7-9, 11, 12, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 7-9, 11, 12, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5, 7-9, 11, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas (U.S. Pat. No. 5,553,806) in view of Harkins (U.S. Pat. No. 2,353,462).

Lucas discloses a method of winding a web comprising winding the web into a roll and pressing a rotatable lay-on roll 12, 14, 15 against a peripheral surface of the roll. The lay-on roll includes a surface material formed in a cylindrical shape and including rubber having an effective Shore A hardness of 30-55 or 40-65 (abstract; col. 6, lines 20-26).

Lucas does not disclose that the lay-on roll has a surface material that includes rubber having the claimed volume resistivity.

Harkins teaches providing a material handling roller with an electrically conductive rubber cover having an electrical resistivity of 20,000 Ω cm (p. 3, col. 1, lines 15-21) to prevent build up of static charge on the roller and handled material.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the lay-on roller of Lucas with a surface material having an electrical resistivity of 20,000 Ω cm as taught by Harkins to prevent build up of static charge on the roller and the paper web.

Lucas discloses winding a paper web which is seen to be a polymer film as recited in claim 1 since paper comprises polymers. In addition, it would have been obvious to use the winding method of Lucas as modified for winding a continuous polymer film of another type (such as recited in claim 13) and to wind polymer webs having the claimed thicknesses (claims 8, 9) and width (claim 15) since the winder of Lucas would obviously have been capable of winding a wide range of web materials including ones having the claimed characteristics.

It would have been obvious to use a material with high resistance to ozone to prolong its useful life.

With regard to claims 7, 11, and 16, the selection of winding speed, pressing force, and material length to wind would have been a matter of obvious engineering choice since it would have been well within the level of skill of an ordinary artisan to select the appropriate values of these parameters for the particular web being wound.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lucas in view of Harkins as applied to claims 1 and 11 above, and further in view of Perrigo (U.S. Pat. No. 5, 035,373).

Lucas does not disclose decreasing the pressing force of the lay-on roll on the film roll according to an increase in the radius of the film roll.

Perrigo teaches decreasing the pressing force of a lay-on roll on a web roll with increasing web roll radius (see abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to decrease the pressing force of the lay-on roll of Lucas as the radius of the web roll increases as taught by Perrigo to create a wound roll of the desired hardness. The particular pressing force to apply would have been a matter of obvious engineering choice depending on the material, roll size, width, and other factors which are known to those of ordinary skill in the art.

Response to Arguments

Applicant's arguments filed 5/4/07 have been fully considered but they are not persuasive.

Applicant argues that the rollers in Lucas have patterns of grooves or holes on their surfaces and that they do not meet the limitation in claim 1 requiring a radius that is constant across the entire length of the roll. However, the effective radius of the rolls in Lucas does not vary along the length of the rolls and there is substantially no variation of the radius of the outer surface of the rolls over the surface of the rolls since the grooves, holes, and dimples merely provide a surface texture (e.g., the depth of the grooves is small, about 0.10 inches; col. 7, lines 19-32). In addition, Lucas discloses

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smooth-surface roller having hardnesses in the claimed range (col. 1, lines 32-47 and 58-64, col. 5, lines 53-62, and col. 6, lines 5-9).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Mon. - Fri., 10:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


sjh
7/10/07


Peter M. Cuomo
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